

**NOTICE REGARDING AMENDED TELEPHONIC COURT APPEARANCE  
AND TELEPHONIC TESTIMONY PROCEDURES FOR ALL JUDGES  
EFFECTIVE JULY 1, 2010**

Telephonic Court appearance and telephonic testimony before any Bankruptcy Judge in the Middle District of Pennsylvania will be governed by the Amended Telephonic Court Appearance and Telephonic Testimony Procedures for All Judges Adopted June 15, 2010, which are reproduced below. After July 1, 2010, the Amended Procedures will be published on the Court's website: [www.pamb.uscourts.gov](http://www.pamb.uscourts.gov) under Telephonic Court Appearances.

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

***AMENDED***

**Telephonic Court Appearance & Telephonic Testimony Procedures for all Judges  
Adopted June 15, 2010**

The United States Bankruptcy Court for the Middle District of Pennsylvania has arranged for parties to participate by telephonically using CourtCall, an independent conference call company.

**Except as digitally recorded by the Court, under no circumstances may any participant record or broadcast the proceedings conducted by the Bankruptcy Court.**

**I. Policies Governing Telephonic Court Appearances**

Telephonic appearances by counsel and pro se debtors using CourtCall are authorized for all matters, pursuant to procedures set forth herein.

If a party or attorney schedules a telephonic appearance and fails to respond when the matter is called, the Court may proceed with the hearing and may treat the failure to respond as a failure to appear. Parties and attorneys making use of CourtCall's services are cautioned that they do so at their own risk. Hearings and trials generally will not be rescheduled due to missed connections, except upon motion and showing of good cause.

A waiver of the CourtCall fees is approved for debtors who have been granted IFP status and parties represented by pro bono counsel. The Court will notify CourtCall prior to the hearing that fees are to be waived.

To ensure the quality of the record, the use of cellular phones, speaker phones, car phones, or phones in other public places is prohibited. Prior to speaking, the participant must identify himself or herself for the record. **CourtCall participants must take reasonable steps not to allow distracting sounds, such as dogs barking or machinery noise, to be heard in the courtroom through the CourtCall conference call.** CourtCall conference calls must not be placed on hold at any time. When the Court informs the participants that the hearing is completed, the participants may disconnect.

**II. Policies Governing Telephonic Testimony**

~~Any attorney or pro se debtor intending to present testimony telephonically must obtain consent to telephonic testimony from all parties to the matter at least 2 business days prior to the scheduled hearing and must file a Certification of Consent to Telephonic Testimony via CourtCall prior to the hearing.~~ **Any attorney or pro se debtor intending to present testimony of any witness telephonically must obtain the prior written consent from all parties to the matter. A Certificate of Consent to Telephonic Testimony via CourtCall must be filed by the party seeking telephonic testimony at least two (2) business days before the scheduled**

**hearing. The form of the Consent**, a fillable form (L.B.F. 9074-1) is available on the Court's website ([www.pamb.uscourts.gov](http://www.pamb.uscourts.gov)).

### **III. Scheduling a Telephonic Appearance or Telephonic Testimony**

1. All telephonic participants must contact CourtCall directly by telephone, email, or fax no later than 24 hours prior to the scheduled hearing date.

Telephone: 866-582-6878  
Email: [courtconference@courtcall.com](mailto:courtconference@courtcall.com)  
Fax: 866-533-2946

2. No later than 5:00 p.m. the day prior to the scheduled hearing, all ECF filers who intend to appear at a hearing telephonically must place on the docket **by a virtual entry** the following notice:

*Notice is given that (Attorney name), counsel for (party) intends to appear telephonically at the hearing referenced at docket #(hearing **notice** docket number).*

3. Participants must pay by credit card for each appearance, but can sign a credit card application to be billed automatically. There are no subscription fees and no special equipment is needed. CourtCall does not charge for calls that are not completed. Participants pay only if the service is used.
4. CourtCall will need the following information to make a reservation:
  - Hearing/trial date and time
  - Case name and number
  - Name and telephone number of individual appearing
5. Participants will receive confirmation from CourtCall the day before the hearing.
6. Generally, CourtCall participants are responsible to pay for telephonic appearances pursuant to CourtCall's current fee schedule.

### **IV. Procedures for Appearing or Testifying Telephonically**

CourtCall will provide participants with written confirmation of a telephonic appearance and will provide a telephone number for the participant to call in order to appear by telephone. It is the participant's responsibility to dial into the call no later than 10 minutes prior to the scheduled hearing. **CourtCall does not place a call to the participant.**

At the time of the hearing or trial, participants may initially be in the listening mode and may hear other scheduled matters as if they were in the courtroom. After the participant's call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. Each time an attorney or pro se litigant appearing via CourtCall speaks, he or she should identify himself or herself for the record. When the Court

informs participants that the matter is completed, participants may disconnect.

**LOCAL BANKRUPTCY FORM 9074-1**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	<b>CHAPTER</b> _____
	:	
<b>Debtor(s)</b>	:	<b>CASE NO.</b> _____
	:	
	:	
<b>Plaintiff(s)/Movant(s)</b>	:	<b>ADV. NO.</b> _____
<b>vs.</b>	:	<b>(if applicable)</b>
	:	
<b>Defendant(s)/Repondent(s)</b>	:	

**CERTIFICATION OF CONCURRENCE FOR TELEPHONIC TESTIMONY VIA  
COURTCALL**

*(Certification must be received at least 2 business days before the scheduled hearing. If a certification cannot be filed timely, leave to provide telephonic testimony must be obtained from the Court.)*

**1. HEARING INFORMATION**

Hearing Type (e.g., Motion to Dismiss, Trial) \_\_\_\_\_

Hearing Date \_\_\_\_\_ Hearing Time \_\_\_\_\_

**2. WITNESSES SCHEDULED TO PROVIDE TELEPHONIC TESTIMONY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 3.** I hereby certify that all parties participating in the above-described hearing have concurred in the telephonic appearance of the witness(es) set forth in paragraph 2 above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of certifying attorney or pro se party

\_\_\_\_\_  
Name of attorney or pro se party